

**REMARKS**

This is in response to the Office Action dated July 19, 2006. The due date for this response will have been extended.

**I. Summary of the Amendment**

Upon entry of the amendment, Claims 1, 3, 6, 7 and 8 will have been amended. Claims 2, 4 and 5 will have been withdrawn. Therefore, Claims 1, 3, 6-8 currently remain pending.

**II. Summary of the Office Action**

This is in response to the Office Action dated July 19, 2006. The Examining Attorney has acknowledged Applicant's claim for foreign priority under 35 U.S.C. § 119. The Examining Attorney has rejected claims 1 through 3 under 35 U.S.C. § 102(b) as being anticipated by Poloni, United States Patent No. 5,839,684 ("Poloni"). The Examining Attorney has further rejected claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Poloni and Claims 4, 5 and 6 as being unpatentable under 35 U.S.C. § 103(a) over Poloni in view of Sakuraba, United States Patent No. 6,238,806.

**III. Applicant's Response**

The Examining Attorney has rejected claims 1-3 under 35 U.S.C. § 102(b) based on Poloni. The Examiner states that Poloni discloses the recited laying pipe, with the laying pipe comprising three portions - a straight first portion, a spiral second portion and a third circular portion. The Examiner states that Poloni further discloses a second pipe, which is formed from a plurality of elements, the second pipe being provided inside of the laying pipe and extending almost entirely the length of the tube. The Examiner further states that Poloni includes an end piece with an angled entry which is welded into the end of the laying pipe.

Poloni, as understood by Applicant, discloses a lined pipe for forming spirals for a spiral-forming head of spiraling machines. The lining of the pipe is comprised of a series of wear-resistant inserts that extend along the length of the pipe. *Poloni*, Col. 4, Lns. 4-7. The longitudinal dimension of the inserts is in the range of twenty to forty millimeters with a preferred longitudinal dimension of approximately thirty millimeters. *Poloni*, Col. 4, Lns. 27-29. A certain number of inserts must be inserted so that the entire length of the spiral-forming pipe is covered by the inserts. *Poloni*, Col. 4, Lns., 53-55.

In contrast, Applicant's Claim 1, as amended, requires an external pipe having a first substantially rectilinear portion; a second substantially spiral shaped portion and a third

substantially circular portion. Applicant's Claim 1 further requires an internal pipe inserted inside the external pipe with the internal pipe having an external diameter substantially equal to the internal diameter of the external pipe and a length slightly longer than the length of the first rectilinear portion of the external pipe.

Poloni does not disclose an internal pipe located within an external pipe, as required by Applicant's Claim 1. A pipe is generally understood as comprising a long, continuous tube, which is clearly distinct from the wear-resistant inserts that are disclosed by Poloni. Thus, the inserts disclosed by Poloni function as individual segments that form a lining of the pipe in contrast to the internal pipe that is required by Applicant's claims.

Additionally, Poloni discloses that a certain number of inserts are required such that the inserts extend along the entire length of the pipe. In contrast, Applicant's Claim 1 requires an external pipe having three portions, a substantially rectilinear portion; a second substantially spiral shaped portion and a third substantially circular portion. Applicant's Claim 1 further requires an internal pipe having a length only slightly longer than the length of the first rectilinear portion of the external pipe, which has the advantage of reducing the weight of the laying pipe and which also reduces the centrifugal forces that may act on the laying pipe. Greater stability is obtained such that different diameters of internal pipe may be used. Specifically, replacing the internal pipe with one of a different diameter does not entail the unbalancing of the rotor of a rolling device. To that end, the overall mass of the laying pipe and the associated centrifugal forces are not greatly affected.

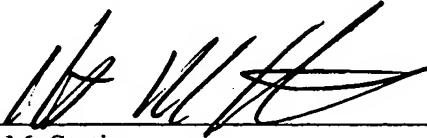
#### **IV. Conclusion**

For the forgoing reasons, Claim 1 is believed to be in condition for allowance. Furthermore, the dependent claims of Claim 1, namely, Claims 3, 6, 7 and 8 are also believed to be in condition for allowance for being dependent upon an allowable base claim.

Applicants respectfully submit that all of the stated grounds of rejection have been overcome. Accordingly, an early Notice of Allowance is respectfully requested. Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact Applicants' representative at the number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,



Date: December 19, 2006 By:

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